

CITY OF SAN JOSÉ, CALIFORNIA  
Department of Planning, Building and Code Enforcement  
801 North First Street, Room 400  
San José, California 95110-1795

Hearing Date/Agenda Number  
P.C. 08/13/03 Item: 3.j.

File Number  
PDC03-038

Application Type  
Planned Development Rezoning

Council District  
4

Planning Area  
Berryessa

Assessor's Parcel Number(s)  
245-18-003

## STAFF REPORT

### PROJECT DESCRIPTION

Completed by: Caleb Gretton

Location: East side of Flickinger Avenue approximately 600 feet southerly of Hostetter Road

Gross Acreage: 9.17

Net Acreage: 8.34

Net Density: 10 DU/AC

Existing Zoning: A Agriculture

Existing Use: Community Gardens and Open Space

Proposed Zoning: A(PD) Planned Development

Proposed Use: Up to 84 Single-Family detached units

### GENERAL PLAN

Completed by: CG

Land Use/Transportation Diagram Designation  
Public/Quasi-Public

Project Conformance:  
☒ Yes ☐ No  
☒ See Analysis and Recommendations

### SURROUNDING LAND USES AND ZONING

Completed by: CG

North: Single-Family Residential

R-1-8 Residential

East: Single-Family Residential

A(PD) Planned Development Residential

South: Public Park

A Agriculture

West: Single-Family Residential

R-1-8(PD) Planned Development Residential

### ENVIRONMENTAL STATUS

Completed by: CG

☐ Environmental Impact Report found complete  
☐ Negative Declaration circulated on  
☒ Negative Declaration adopted on July 31, 2003

☐ Exempt  
☐ Environmental Review Incomplete

### FILE HISTORY

Completed by: CG

Annexation Title: Berryessa No. 56

Date: 01/19/1984

### PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☒ Approval  
☐ Approval with Conditions  
☐ Denial  
☐ Uphold Director's Decision

Date:

Approved by: \_\_\_\_\_  
☐ Action  
☐ Recommendation

### APPLICANT/DEVELOPER

### OWNER

Pulte Homes  
Dan Carroll  
7031 Koll Center Parkway, Suite 150  
Pleasanton, CA 94566

Berryessa Union School District  
Geraldine Harge, Superintendent  
1376 Piedmont Road  
San Jose, CA 95132

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**PUBLIC AGENCY COMMENTS RECEIVED**

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Completed by: CG

**Department of Public Works**

Please see attached memorandum

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**Other Departments and Agencies**

Please see attached memorandum from the Fire Department, and Environmental Services Department

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**GENERAL CORRESPONDENCE**

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None received.

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**ANALYSIS AND RECOMMENDATIONS**

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**BACKGROUND**

The applicant, Pulte Homes, is requesting a Planned Development Rezoning of a 9.17 gross acre site located in the A Agriculture Zoning District to allow up to 84 Single-Family detached dwelling units on the subject property. A Planned Development rezoning is required because the proposed residential lots and private streets would not meet the requirements of the City's standard zoning districts.

The subject site is rectangular in shape and approximately 9.17 gross acres in size. The project site was historically used for agricultural use and is currently used as a community garden. The site is bounded by Single-Family detached residences to the north, a PG&E owned overhead power line utility corridor and Single-Family detached residences to the east, a public park to the south, and Single-Family detached residences across Flickinger Avenue to the west. The General Plan designation of the subject property is Public/Quasi Public.

**Project Description**

The proposed zoning would allow subdivision of the site into 84 lots for development of single-family residences. The typical lot size would be 43 feet wide by 72 feet deep (3115 square feet). The minimum lot area would be 3000 square feet. The proposed zoning will allow two-story structures with front setbacks of 10 feet to 18 feet, 3 foot side setbacks, and a 15 foot average rear setback. The project will obtain access via three private streets, approximately 48 feet in width, that enter the site off of Flickinger Avenue. Each unit will include a two car garage accessed directly off of the private streets. As part of the proposed development, the applicant has agreed to provide a public street and make improvements to the public park located south of the subject property and relocate the community gardens currently located on the subject site to a property on Mabury Road.

**ENVIRONMENTAL REVIEW**

A Mitigated Negative Declaration was issued for the project on July 31, 2003. The Mitigated Negative Declaration addressed issues such as Noise, Traffic, Water Quality, and Air Quality. With the implementation of the proposed mitigation measures, which include construction related mitigation for potential noise, urban runoff, air quality and water quality impacts, the project will not have a significant impact on the environment.

**GENERAL PLAN CONFORMANCE**

The subject property has a designation of Public/Quasi-Public on the General Plan Land Use/Transportation Diagram. The proposed project conforms to the General Plan designation for the subject property. See Analysis below.

## **ANALYSIS**

The primary issues associated with the proposed project are: 1) Conformance to the General Plan Land Use/Transportation Diagram, 2) Access and Neighborhood Interface and 3) Conformance to the Residential Design Guidelines.

### General Plan Conformance.

Discretionary Alternate Use Policies specify conditions under which an alternative to uses otherwise allowed in a particular Land Use/Transportation Diagram designation may be determined to be in conformance with the General Plan. The subject property has a designation of Public/Quasi-Public on the Land Use /Transportation Diagram. Per the Surplus Public/Quasi-Public Discretionary Use Policy, an alternate use of property designated for Public/Quasi-Public use may be approved through a Planned Development zoning without an amendment to the Land Use/Transportation Diagram if such alternate use is found to be compatible with existing and planned uses on neighboring properties and to be consistent with any other applicable General Plan policies.

The proposed rezoning would allow up to 84 single-family detached residences on a 9.17 gross acre site. After dedication for a public street along the southern and western edge for street improvements, the site area would be 8.34 net acres and the net density would be approximately 10 DU/AC. The surrounding properties to the west, north and east are developed with single-family detached residences developed at a similar density of approximately 8-10 DU/AC. These properties are zoned R-1-8 or R-1-8 (PD). Three townhouse developments located to the northeast of the project site are zoned A(PD) and also developed at a similar density, between 8.4 and 10.8 DU/AC. The proposed use (detached single-family) and density (10 DU/AC) are generally consistent with these surrounding single-family residential neighborhoods.

One portion of the proposed project, consisting of 12 units, would be directly adjacent to a row of existing single-family homes. The back yards of the new homes would abut the back yards of the existing. Although the new lots will be approximately one-third the size of the existing, they will provide a similar or greater amount of rear yard setback area than provided within the existing development.

The proposed project would be adjacent to a public park along its southern frontage. By providing an intervening frontage road and by orienting units to front on to that road, the proposed project is designed in such a way as to be compatible with this park.

### Access and Neighborhood Interface

The proposed project will create four new points of access on Flickinger Avenue to provide access to the 84 homes. Three of these will be new private streets and the fourth, adjacent to the park, will be a public street. The three private streets will have a 30-foot wide curb-to-curb dimension (8 feet on either side will be available for on-street parking, resulting in a 14 foot clear travel area), and nine feet on either side for sidewalk and park strip. This street dimension is 4 feet less than the current minimum requirement for a public street, but similar to many streets found in older residential neighborhoods. A fourth private street at the rear of the project site will connect the ends of the three other private streets to the public street to provide for better vehicle

circulation and pedestrian access to the park. This fourth street will not include on-street parking, but sufficient on-street parking (84 spaces = 1 per unit) is being provided on the other new streets or along Flickinger Avenue

The project will provide 26 feet of dedication along the park frontage for the construction of a new public street. Additional land will be taken from the park to provide the full dimension required for a public street and the project developer will be required to construct the full street. The final design of this public street will be determined as part of the implementation of a Planned Development Permit, but is anticipated to include parallel parking on the residential side, perpendicular parking along the park edge, and an 18 foot wide clear travel area. This new public street would end in a cul-de-sac, but would not preclude a future connection across the PG&E utility corridor to connect the two segments of Doxey Drive on either side of the project site. Currently, the eastern segment of Doxey Drive informally extends to the park side and this access will be lost as a part of the project. The project developer will not be required to construct a cul-de-sac for the displaced terminus of Doxey Drive and it will remain unfinished.

Because the project will create four new access points on Flickinger Avenue, the developer will be required to construct a median on Flickinger Avenue. The design of this median will be finalized as part of the implementation of a Planned Development Permit, but it is anticipated that it will allow left turn access into the project site only at the central of the three private streets and at the new public street. Left turn access out of the project site area will only be allowed from the new public street. This median will affect the properties on the opposite side of Flickinger Avenue as well, eliminating the capability to make a left-turn on to Flickinger at Astro Court and Doxey Drive. Although these residents have not been notified of this impact, it would affect a limited number of houses and alternative circulation routes will remain available for them.

Consistent with other residential development in the area, the new units will side on to Flickinger Avenue. Given the business of this street, it would not be appropriate for units to front directly on to it. A sound wall will be provided to screen the private back yards of the side-on units and construction techniques will be used to decrease sound levels for the indoor space.

#### Conformance to the Residential Design Guidelines

Design guidelines for single-family detached houses are intended to restore and reinforce a positive relationship between residences and public or private streets by reducing the architectural visibility of garages and by downplaying the role of automobiles in residential neighborhoods. The primary technique for improving street presence is to limit the proportion of the building front devoted to garages and parking. Other methods, which help improve a dwelling's street presence, include the introduction of architectural elements such as porches or other entrance features, to add visual interest to the building façade. Another objective of the guidelines is to discourage the construction of unbroken, repetitive streetscapes.

The proposed zoning sets general standards for the development of the site with houses that could be consistent with these guidelines. During the zoning stage for new development, conceptual architecture and building design is provided to illustrate how the project would conform to the guidelines. Specific building designs are resolved at the Planned Development Permit stage. Although conceptual in nature, the proposed project conforms to the Residential Design Guidelines.

The proposed project includes three different unit designs. Two of the three unit types would limit garage frontage to approximately 50% at the building face. Garage doors would take up approximately 57 % of the building face for the third unit type. Two of the three unit types include a living space that projects a minimum of five feet in front of the garage front façade. One unit provides an entry located at the side of the building,

with entry features that provides a presence toward the street. Two of the proposed unit types include a front porch that extends up to five feet in front of the living space.

The conceptual site plan indicates that each unit would have a minimum of 500 square feet of private open space. This is consistent with the Residential Design Guideline requirement, and would be included as a standard in the proposed General Development Plan (attached).

Consistent with the Residential Design Guidelines, the proposed zoning includes private streets that consist of a 48-foot wide right-of-way. Residential units would front to those streets. The streets consist of a 30-foot wide roadway, a park strip on both of sides of the street that is 4 feet in width, and a sidewalk on both sides of the street that is 4 feet in width. The dimensions of the proposed private streets are consistent with the dimensional requirements of the Residential Design Guidelines.

The proposed units conform to the residential design guidelines in that they are consistent with the garage frontage requirements of the RDG, and with the open space requirements of the RDG. The variation on unit types provides interest to the street and reduces a repetitive development pattern. Street presence is provided by living spaces projecting in front of the garage and the inclusion of porches at the front of the buildings.

## **PUBLIC OUTREACH**

Notices for the Draft Mitigated Negative Declaration and the public hearing were distributed to the owners and tenants of all properties located within 500 feet of the project site and posted on the City web site. Staff has been available to discuss the project with members of the public.

## **RECOMMENDATION**

Planning staff recommends that the Planning Commission recommend approval to the City Council for the subject rezoning for the following reasons:

1. The proposed project is consistent with the San Jose 2020 General Plan Land Use/Transportation Diagram designation of Public/Quasi-Public through the use of the Discretionary Alternate Use policy that allows the development of public land if the proposed use is compatible with the existing neighborhood.
2. The proposed zoning is compatible with existing and proposed uses on the adjacent and neighboring properties.
3. The proposed project is consistent with the Residential Design Guidelines.